

Nothing left now but . . .



Or to Arms

The Modern Militiaman's Internet Gazette

April 19, 1997, Issue #1-97

Purpose: Our purpose is to serve the Resistance/Patriot Movement as a weekly gazette providing news and commentary favorable to our cause in a format accessible to the general public.

The news from e-mail listings is shown in preformatted text. This news will be attributed to its authors/editors and is entirely the opinion of that particular author/editor.

One of the reasons for this is to cut down on the spamming and foolishness inherent in raw e-mail in order to provide a forum for discussion of Resistance Movement issues.

Commentary is in regular format and is solely the opinions of the Editor and Staff of *Modern Militiaman Internet Gazette*.

Editor [Martin Lindstedt](#)

Waco Questions Congress Refuses to Answer

From: SafanNews@aol.com

Date: Fri, 18 Apr 1997 18:48:29 -0400 (EDT)

To: SafanNews@aol.com

Subject: SAFAN NO. 390: 1997: Waco Questions Congress Refuses to Answer

STOP ALL FEDERAL ABUSES NOW!

S.A.F.A.N. Internet Newsletter, No. 390, April 18, 1997

1997: WACO QUESTIONS CONGRESS REFUSES TO ANSWER

by [Carol Moore \(cmoore@CapAccess.org\)](#).

(Carol Moore, member, Committee for Waco Justice and author
"The Davidian Massacre" cmoore@capaccess.org 202/635-3739

In early 1995 many Americans held high hopes that Republican-promised "Waco hearings" would finally expose federal agents' crimes

against the Davidians and the government coverup of those crimes. The House of Representatives held 10 days of "Waco" hearings in the summer of 1995. The Senate held two days of such hearings in the fall.

The hearings did reveal over-aggressiveness and duplicity by agents and officials of the Bureau of Alcohol, Tobacco and Firearms (BATF) and the Federal Bureau of Investigation (FBI). However, Congress' final conclusion followed the party line--the Davidians ambushed BATF and committed mass suicide. Questions of crimes by these agents were rarely raised and evidence of such, when alleged or chanced upon, discounted.

Nevertheless, citizens continue to produce new books and films cataloging compelling evidence that hyped-up BATF agents shot first as David Koresh opened the front door, even as other agents shot from helicopters, killing four Davidians. BATF left ample bullet hole evidence in the walls and roofs of the building of this indiscriminate and illegal gunfire. The Davidians repeatedly told negotiators that when this evidence was discovered Davidians would be freed and federal agents would be prosecuted. Fearing they were right, and angry at the deaths of four BATF agents, FBI Hostage Rescue Team agents deliberately destroyed evidence of BATF gunfire outside the building. And they repeatedly sabotaged negotiations and pushed for a gas and tank attack that could--and ultimately did--destroy the building and its incriminating evidence.

Many Americans believe the U.S. Congress cares more about protecting these federal agents from prosecution than about protecting the American people from such agents. If Congress is to reassure the American people this is not true, it must re-open hearings on Waco to answer the questions below and/or call for a special prosecutor.

FOR ACTION CALL OR FAX:

House Judiciary Committee	202/225-3951	fax-225-7682
Senate Judiciary Committee	202/224-5225	fax-224-9102

QUESTIONS ABOUT FEBRUARY 28, 1997

1. House investigators determined that "someone" at BATF lied to the military about the Davidians being involved with drugs in order to get U.S. Army Special Forces and other military aid. Instead of pulling out the stops to discover who lied, investigators only whined about the fact that military staff at Fort Bragg were not made available to them or had been pre-interviewed.
2. One of the chief raid planners was William Buford, Special Agent in Charge of Little Rock BATF and a personal acquaintance of President Bill Clinton. The day after the February 28 raid, then-Deputy Treasury Secretary Roger Altman visited the injured Buford in a Texas hospital. Congress never asked about this visit or whether Clinton or his staff had any foreknowledge of the raid.
3. During the House hearings it was revealed that imprisoned Davidian Brad Branch, who was standing behind the unarmed David Koresh at the front door, claims he saw an agent shoot a dog as other agents rushed the door. He claims one approaching agent panicked and started shooting at Koresh, wounding him and mortally wounding his father-in-law. Why did congressional investigators merely whine in their report that the Treasury Department did not let it interview agents before the hearings? Why not grill them now?
4. Why doesn't Congress methodologically investigate the copious forensic and eyewitness evidence that BATF agents in the Blackhawk helicopter shot at Davidians? Instead it quiescently accepts the denials of two BATF agents and 3 National Guard helicopter pilots--who themselves may have shot or covered up others' shooting. Such

evidence includes: BATF discussions of using helicopter gunfire as a diversion; an agent in the helicopter admitting agents were armed and permitted to fire in self-defense; the government's allegations Davidians fired at helicopters, which might have triggered such a "self-defense" response, even before such gunfire began; BATF video from inside the helicopter showing the closeness of the approach to the building and containing sounds of close-up gunfire; television video showing bullets entering the roof from an almost perpendicular angle; two Davidians' complaints to 911 officers during the raid about such firing; thirteen Davidian survivors' testimony about it; Davidian attorneys and a prosecution witness' testimony about bullet hole evidence in the highest roof; autopsy evidence indicating four Davidians probably were killed from gunfire from above.

5. Why didn't Congress do a systematic investigation of the "second shooting" of Davidian Michael Schroeder as he approached Mount Carmel several hours after the raid? There is evidence that BATF agents, angry at BATF agents' deaths, gave scant warning as they opened fire on Schroeder, who died of three wounds to the back and two to the head. Troubling evidence like shooting heard after the incident and Schroeder's missing cap suggests that agents then approached and "finished off" the wounded man with shots to the head. The FBI would not allow Texas Rangers to investigate the area for ten days after the shooting, making it impossible to check for footprints.

QUESTIONS ABOUT SABOTAGE OF NEGOTIATIONS

6. Why didn't Congress grill prosecutors and federal agents about the moving and destruction of automobiles, trucks and a trailer during the siege? Why hasn't Congress asked FBI siege commander Jeff Jamar and chief negotiator Byron Sage--as well as Hostage Rescue Team commander Richard Rogers--about their reactions to the Davidians' allegations that bullet hole evidence in the building would lead to Davidian acquittals and convictions of agents? These questions must be asked in light of Jamar and Sage's conflicting or dubious explanations to Congress about why they withheld from their superiors and Attorney General Janet Reno important information which would have scuttled the gas and tank attack that they supported.

7. During the Senate hearings FBI Waco negotiator Cliff Van Zandt confirmed an allegation by a Davidian hearing witness: every time Davidians cooperated with the FBI by releasing people, the Hostage Rescue Team would punish them with acts like destruction of property, turning off electricity, or escalated harassment. Why hasn't Congress grilled Hostage Rescue Team commander Richard Rogers and all Hostage Rescue Team members about this phenomena?

QUESTIONS ABOUT APRIL 19, 1993

8. While FBI agents claim Davidians threw their phone out the window on April 19, Davidians deny this, asserting a tank cut the phone wire before the gas attack began. This made it impossible for Davidians to negotiate a safe surrender. The same agents claim Davidians immediately fired on the tanks, which Davidians also deny. This gunfire allegation gave the FBI the excuse to speed up the gas attack and quickly proceed to the demolition of the building--and an excuse not to fix the phones. Such actions and lies by the agents ensured the building would be destroyed. They also ensured Davidians would be terrified of exiting and being shot, even as they hung a banner asking that their phones be fixed. Why doesn't Congress take every FBI agent at the scene aside and grill each about the events of that day?

9. During the House hearing Representative Howard Coble complained that the U.S. Army had not yet provided to the Committee any evidence of alleged damage to army tanks from Davidian gunfire on April 19. One staffer told me they did finally receive that material from the army. However, if so, it was not included in the transcripts, as

requested by Mr. Coble. Is the House investigating committee hiding evidence that there was no Davidian gunfire?

10. Before Attorney General Janet Reno left the FBI Operations Center in Washington on April 19, around 11:00 a.m., she had a telephone conversation with Bill Clinton, one she mentioned during the 1993 House hearings. Incredibly, in neither these nor 1995 hearings did representatives question her about the content of this conversation. Reno left soon after and put then-Associate Attorney General Webster Hubbell in charge. Representatives did not ask her questions about what communication she had with Hubbell in the next two hours that passed before the fire. Nor have they asked if wealthy Waco businessman Bernard Rappaport--who paid Hubbell \$18,000 after he resigned in disgrace from the Justice Department--might have had any input into Justice Department or White House decisions on Waco. Nor have they asked Lisa Foster why one reason she believed her husband, White House counsel Vince Foster, killed himself was he felt guilty about "Waco."

11. Will Congress finally dispute the FBI and Justice Department claims that nearly two dozen Davidians were on the first floor but refused to leave the building? Davidians claim these men and women were trapped on the second floor because the tanks destroyed the stairwells.

12. Former U.S. Army and BATF fire investigator Richard Sherrow testified at the hearings. He later signed an affidavit for the Davidian civil suits stating that there is a strong probability that an FBI tank started at least one fire on the second floor that, fed by strong winds through long hallways, quickly spread to the rest of the building. He notes suggestive evidence that FBI agents shot an incendiary "flash bang" into the gymnasium after the first fire started. Will Congress finally take this evidence seriously--even it means the U.S. government may lose 1.5 billion dollars in lawsuits?

13. Why did several FBI tanks continue ploughing burning, bullet-pocked walls and other evidence into the fire for at least ten minutes towards the end of the fire, as seen on television videos? (During the hearings one FBI tank driver volunteered a dubious answer, a possible attempt to pre-empt such a question.)

14. The controversial new film "Waco: The Rules of Engagement" provides evidence relevant to most of the questions above. It also presents infrared video experts who opine that there is clear infrared video evidence that FBI agents shot at Mount Carmel, perhaps at escaping Davidians, during the fire. Will Congress take these allegations seriously enough to grill FBI agents about this?

QUESTIONS About Prosecutorial Misconduct in Branch Davidian Trial:

15. Confidential memoranda and handwritten notes revealed during the 1995 House Waco hearings exposed the fact that the Treasury Dept, under pressure from the Justice Department and Webster Hubbell, halted its post-February 28 raid shooting review because agents' stories "did not add up." In fact, interviewers were generating "exculpatory" material that could help the Davidian defendants at trial. Hubbell promised to produce his "Waco files" to Congress, but did not do so. Does Congress condone this unconstitutional Justice Dept practice of squelching evidence that might help defendants?

16. The Department of Justice would not allow a company chosen by House investigators to independently test the Davidians' guns to see if they really are illegal machine guns, or if the FBI was falsely claiming this. It then claimed the Department could not afford to independently test them. Considering recent findings of faulty FBI lab work, and even evidence of fabrication of evidence, this FBI allegation, which has led to 140 year sentences for six Davidians,

must be independently verified. Former Los Angeles police officer Mark Fuhrman said on his infamous tapes, "cops" don't need to conspire together to protect each other when they commit crimes, they know what to do. The same goes for federal agents, even from competing agencies like BATF and FBI. These are "cover your butt" conspiracies. However, a truly committed Congress can break through law enforcement's vow of silence. Otherwise "Waco" will remain a prime symbol of the crumbling legitimacy of the federal government.

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"A nation of well informed men who have been taught to know and prize the rights which God has given them cannot be enslaved. It is in the region of ignorance that tyranny begins."
.....Benjamin Franklin

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New Waco Lawsuit

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From: [E Pluribus Unum](#)

To: eplurib@megalinx.net

Date: Fri, 18 Apr 1997 11:16:22 -0400

Subject: New Waco Lawsuit

Lawsuit seeks to fault officials in Waco debacle

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WACO, Texas (April 18, 1997 01:49 a.m. EDT) -- Four years after the fiery end of the Branch Davidian standoff, the cult lives on, pressing a lawsuit aimed at pinning the blame for the 80 deaths on the government.

The lawsuit, seeking hundreds of millions in damages, challenges the government's conclusion that the Branch Davidians themselves started the fire and that they also shot first during the federal raid on their compound 51 days earlier.

The plaintiffs -- about 250 surviving Davidians and the relatives of the dead -- contend that when federal agents punched through the walls and fired tear gas into the cult compound in an April 19, 1993, attempt to end the standoff, the canisters ignited, burning the building and the people inside.

Joe Phillips, a Houston lawyer for the plaintiffs, acknowledged that they will be hard-pressed to make their case.

"Certainly the fact that the government killed most of our witnesses and theirs mostly survived makes it more difficult for us," he said.

With hundreds of motions and rulings expected, it will probably be

years before the case goes to trial.

On Saturday's anniversary of the blaze, the Branch Davidians plan to gather at the site of the fire and hold a ceremony in honor of political prisoners.

The siege began in February 1993, when four federal agents and six Branch Davidians were killed in a gun battle that broke out when the government tried to arrest cult leader David Koresh on weapons charges. After weeks of negotiations, the FBI sent in armored vehicles to flush the cultists out with tear gas.

Since then, cases that have gone to court and two weeks of congressional hearings have exposed mistakes by federal agents, but no government officials were ever charged with any crimes.

Instead, surviving Davidians and relatives of the dead filed nine lawsuits that were consolidated into one case in 1995. The defendants include Attorney General Janet Reno and top officials of the Bureau of Alcohol, Tobacco and Firearms and the FBI, including then-Director William Sessions.

Last year, against the plaintiffs' wishes, the case was moved from Houston to federal court in Waco.

"We did not want to go there because the only federal judge is Walter Smith. He is unfairly biased against the Branch Davidians," Phillips said.

Smith has put eight surviving Davidians in prison for various charges, including weapons violations and voluntary manslaughter. A federal appeals court has ordered him to review some of his more severe sentences.

The Davidians have also asked the appeals court to remove Smith from hearing the lawsuit.

In the meantime, the Davidians hold weekly services at the Mount Carmel site, a tangle of burned-out vehicles and concrete ruins.

Anti-government militias and conspiracy theorists have made Waco a rallying cry. And federal prosecutors have suggested that Timothy McVeigh, who once visited the compound's ruins, blew up the Oklahoma City federal building on the second anniversary of the fire as revenge.

"I came down here because I was drawn to it because of all the anger," said Dale Perkins, a visitor to the site from Garland. Shaking her head, she said, "I don't know who was at fault. It's hard. It's hard."

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E Pluribus Unum - <http://home.megalinx.net/~eplurib/home.html>

"My people are destroyed for lack of knowledge" Hosea 4:6
P.O. Box 381; Groveport, OH 43125; (614) 836-7650
<mailto:eplurib@megalinx.net>

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Subject: SAFAN NO. 389. Waco Press Release - April 18-19

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From: SafanNews@aol.com
Date: Fri, 18 Apr 1997 18:47:47 -0400 (EDT)
To: SafanNews@aol.com
Subject: SAFAN NO. 389. Waco Press Release - April 18-19

STOP ALL FEDERAL ABUSES NOW!

S.A.F.A.N. Internet Newsletter, No. 389, April 18, 1997

PRESS RELEASE 4/18-19

COMMITTEE FOR WACO JUSTICE
FOR IMMEDIATE RELEASE

Contact: Carol Moore 202/635-3739 (cmoore@capaccess.org)
Alan Forschler 202/797-9877

COMMITTEE FOR WACO JUSTICE DEMANDS CONGRESS SEEK
SPECIAL PROSECUTOR FOR WACO MASSACRE

On Friday, April 18th at noon the Committee for Waco Justice will hold a press conference on the east lawn of the Capitol building, Senate side. April 19th will be the fourth anniversary of the Federal Bureau of Investigation's tank and gas assault which led to a fire which killed 76 Branch Davidians. The Committee also will erect 82 crosses on the lawn in memoriam to the slain Davidians.

Speakers will demand that the United States House and Senate seek a special prosecutor to investigate President Clinton, Attorney Janet Reno and other high officials' cover-up of their own and federal agents' negligent and even intentional homicide of 82 Davidians. This cover-up, as well as Congress' failure of oversight, has led to a continuing climate of anger and fear throughout the nation.

Carol Moore, member of the Committee for Waco Justice and author of The Davidian Massacre, will outline evidence of federal agents' crimes, much of which Congressional hearings ignored or explained away.

Evidence that:

BATF agents shot first at the front door, shot from helicopters, and assassinated a Davidian outside Mount Carmel;

and that FBI agents deliberately sabotaged negotiations, lied about Davidian actions on April 19th, and destroyed evidence of BATF crimes.

She will charge that FBI laboratory agents lied when they claimed 48 Davidian weapons were illegal automatics--in fact, FBI laboratory agents fabricated the guns. The recent Justice Department report covered it up.

Alan Forschler, member of the Fully Informed Jury Association, will outline evidence of crimes by Bill Clinton, Webster Hubbell and Janet Reno, including suppression of evidence, violation of civil rights, perjury and negligent homicide.

Keith Halderman, Vice-Chair of the Libertarian Party of Maryland, will discuss the real political reasons Congress refuses to force prosecutions of federal agents and officials.

Andrew Williams, a member of the Committee and of the D.C. Chapter of the National Organization for the Reform of Marijuana Laws, will initiate a moment of silence for Davidian and Oklahoma City bombing victims, and discuss how Congress' war on drugs has become a war on ninety million gun owners and twenty million minority group members.

William Thomas, member of the Proposition One peace initiative, will discuss on-going efforts by the government to suppress civil liberties and the need for citizens to pursue non-violent strategies.

The Committee also will sponsor an April 19th demonstration from 1-4 p.m. at Lafayette Park, north of the White House.

For more information contact the numbers above.

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Ok, Feds. Crunch Time...

From: [E Pluribus Unum](#)

Received: (qmail 18284 invoked by uid 0); 19 Apr 1997 04:01:48 -0000

Received: from annex63.megalinx.net (HELO megalinx.net) (208.7.65.63)

by first.megalinx.net with SMTP; 19 Apr 1997 04:01:48 -0000

Return-path: eplurib@megalinx.net

To: eplurib@megalinx.net

Date: Sat, 19 Apr 1997 00:01:07 -0400

Subject: Ok, Feds. Crunch Time...

To: State Sponsored Terrorists (wherever you are)

The Terror April 19th has already begun...

This year, Americans have justifiable reasons to fear April 19, 1997. The media is warnnig Americans about the anniverseries of Waco and the Oklahoma City Bombing, and that those "anti-government extremists" (i.e., us) may commit an act of terrorism on April 19th.

There's no use debating the issue anymore. Frankly, we in the Patriot/Militia Movement are sick and tired of your lies, as well as beating our heads against the wall trying to get anyone to listen to the truth.

We know that the only reason the government exposed a "weakness in our air defense" is so you would have a cover story in case an act of terrorism actually occurs. Let's face it guys, reporting a lost A-10 with 4-500 lb. bombs (to the world) jepardises nation security. How stupid do you think we are?

We know the truth about Oklahoma City. We're looking forward to the trial getting under way. We want to hear the evidence. You can't afford that.

We know you leveled the Murrah building to cover up the evidence of what really happend there.

We know that there's not enough votes to ratify the Chem/Bio Treaty. We expect a Chem/Bio attack, just to get your treasonous treaty passed.

We know there is dissention in the ranks of the military. You don't know who you can trust anymore. Yes, we know about Ft. Bragg, NORAD, and other installations. You've closed those gates, hoping you haven't locked your enemy inside.

We know about the numerous people you've sent to Patriot and/or Militia Meetings, trying to solicit people to commit your acts of terrorism. Some of you even attempted sizable monetary bribes.

We know the FBI forensic lab is in shambles, and your case is falling apart...fast.

We know about TWA Flight 800. Everybody knows.

We know about the World Trade Center Bombing. You SOB's tried to kill thousands of people.

We know that MicroSoft Network has shut down its e-mail service until Sunday.

We know that Bill Clinton wants *every* school on the Internet on April 19...a Saturday no less.

We know Bill Clinton is in political hot water, and his own party is bailing out on him.

And *you* know that in February we predicted you would strike at the federal courthouse in Denver, probably this weekend.

NOW, DON'T THINK WE'RE STUPID ENOUGH TO THINK THAT DENVER WILL BE YOUR FIRST TARGET.

Let's get something straight. We pray that nothing happens to anyone this weekend. In fact, a terrorist-free weekend in this country would be considered a *victory* for the Militia.

We (Pariots/Militia) have consistently reported potential terrorist threats to the proper authorities...only to have them ignored. We have been rewarded with more lies, claiming that we are the terrorists. You've done nothing to stop the terror. All you have done is subsidise it.

Remember the Barker Boys of Georgia? You should. You paid them. These men are the most likely suspects behind the Olympic Park Bombing. The 911 tape matches Danny Barker's voice. The backpack you showed the nation is the same type as Danny's. These thugs are known felons who loved to make bombs. But you can't find them because the BATF won't talk to you.

Since these scumbags have been on the lose, we've had too more bombings in Atlantan. Our guess is that they'll strike again. What's it going to be? Freaknik? IRS Computer Center? The CDC? Who knows?

KNOW THIS: We are NOT "anti-government". The government is anti-citizen, anti-constitution, and anti-American. Many beleive that the government itself has become the clear and present danger to the nation security of the United States.

Suddenly, the Federal Bureau of Investigation seems to be self-destructing. From the botched Richard Jewell case, which the Justice Department last week called "a major error in judgment," to problems in the FBI laboratory; from improper overtures to the White House to cost overruns on computer systems, the proud image of the FBI as an effective law enforcement agency has been tarnished.

Those looking for the reason need look no further than the agency's director, Louis J. Freeh. When President Clinton nominated him in 1993, Freeh seemed the perfect choice to head the nation's preeminent law enforcement agency. A federal judge, Freeh had been both an FBI agent and a prosecutor.

But after a promising start, Freeh has settled into a controlling, self-protective, image-conscious style that suppresses internal debate while promoting a double standard of conduct: one for favored aides and one for the rest of the bureau. And he has proven ineffective at running the routine operations of the \$3 billion-a-year bureau. The result has been a number of blunders -- some embarrassingly public, others the source of festering internal dissent.

In Congress and the administration, Freeh's support is evaporating. Within the bureau, talks with dozens of present and former agents make clear that many FBI employees have lost faith in their leader.

"I think the leadership of the FBI has brought the entire organization into question, and you are the leader," Rep. Bob Livingston (R-La.), chairman of the House Appropriations Committee, told Freeh during a hearing last month.

"The issue is trust and confidence in the nation's number one law enforcement agency," Sen. Charles E. Grassley (R-Iowa), who heads the Senate subcommittee which oversees the bureau, recently said. "And in the context of other recent management fiascos at the FBI, skepticism is . . . the order of the day."

I have covered the FBI off and on since the 1960s, and never in my experience have FBI agents expressed as much outrage at their director or felt as demoralized as they do now. In writing two books about the agency, and numerous others that dealt with FBI cases, I've gotten to know many agents at all levels of the bureau with whom I keep in touch socially and professionally.

What they tell me is that the situation is worse than even during the recent problems with Freeh's predecessor, William S. Sessions, who was removed by President Clinton. Sessions's abuse of bureau perks made him look bad, but did not taint the entire bureau, as seasoned agents ran the bureau without him. In contrast, they feel Freeh's management of the FBI has undercut its mission and credibility.

Bureau officials say that Freeh's tendency to suppress dissent has created an atmosphere of mistrust that distorts a normally collaborative decision-making process. This is apparent when Freeh micromanages FBI cases, as he often does. While Freeh is credited with helping some cases, his role in others is criticized. For instance, agents are seething over the fiasco involving Jewell, the one-time Atlanta Olympic bombing suspect. Freeh made a botched case worse, but refused to place any blame on himself or his aides in Washington.

To make sure Jewell would agree to be interviewed, agents devised a plan (approved by FBI lawyers) to tell him the bureau wanted to talk with him as part of a training video. As it turned out, Jewell

was perfectly willing to be interviewed, and there was no need for the ruse -- which, while stupid, was not necessarily improper or illegal.

During the interview, Freeh called from Washington to insist that Jewell be read his Miranda rights, as would be required of someone being held as a suspect. When the agents did so, Jewell clammed up and asked to see a lawyer. Ultimately, Jewell was found to be not involved, which agents might have quickly realized if he had continued to talk. But Freeh's intervention put the encounter on a hostile footing and set in motion a chain of leaks and press accounts that have savaged Jewell -- and humiliated the bureau. In a memo disclosed last week, Freeh endorsed the findings of Justice's Office of Professional Responsibility that field agents made "a major error in judgment."

Bureau insiders see this double-standard as typical. For instance, they cite an early incident that is little-known by the public but well-known inside the bureau. Freeh wanted to hire as his assistants three people he had worked with as a prosecutor, but all three failed FBI polygraph tests on their use of drugs. On Feb. 3, 1994, Freeh issued a memo loosening the rules. Previously, the FBI had accepted employees who had used marijuana "experimentally" when they were young. Under Freeh's new rules, an applicant who had taken hard drugs could be accepted if the activity was "experimental" or more than 10 years old.

Claiming that the applicants had been treated in a hostile way by examiners, Freeh ordered a second polygraph, which is normally against FBI policy. But according to two former agents involved in the process, even with the new rules, two of the applicants "registered deceptive" when asked about hard drugs. In the end, Freeh backed off, and they were rejected. When I asked Freeh about the matter for an epilogue for my book, he refused to comment, citing privacy concerns.

Freeh was equally determined to pursue a dubious personnel choice in promoting Larry A. Potts to the bureau's No. 2 job. Another pal from Freeh's days as a prosecutor, Potts at the time was immersed in controversy for mishandling the standoff at Ruby Ridge in Idaho, where an FBI agent killed an unarmed woman. Justice officials opposed his promotion and Freeh himself had just reprimanded Potts, yet the director ignored all countervailing advice. Eventually, Justice officials forced Freeh to replace him.

Some people who have worked with Freeh say such unwillingness to consider advice that conflicts with his own views is typical. A former aide described how, when confronted with a bearer of bad news, Freeh "sets his jaw, becomes flinty-eyed, and gives a curt 'thank you.' " The effect: "Louis kills the messenger."

John W. Hicks, the director of the FBI laboratory, got that response when he warned Freeh in November 1993 and again in March 1994 that FBI lab capabilities would be severely impaired if the director proceeded with his plan to put more agents on the street by transferring about half of the 130 lab examiners who are agents to field offices. When Freeh ignored his advice, Hicks decided to retire.

Freeh's cuts diminished the lab's expertise and extended backlogs from about six months to more than a year. Now it turns out the lab might have mishandled some 50 cases. Even though that's a small number of the 20,000 examinations conducted each year, the idea that the sacrosanct FBI laboratory might have mishandled even one is disturbing. In part, the problems are traceable to Freeh's decisions.

Some agents are also appalled by the actions of Freeh's two top aides, chief of staff Robert Bucknam and general counsel Howard M. Shapiro. Bucknam is best known for unilaterally intervening in delicate cases to try to get more publicity -- a trait that has made him widely detested both within the bureau and the Justice Department. When Freeh's two proposed assistants ran into drug problems, Bucknam tried, albeit without success, to have the Justice Department hire them and then detail them back to the FBI. Agents compare Bucknam with Sarah Munford, an assistant to Sessions who seemed to think she ran the bureau and was part of the cause of his downfall.

Shapiro has been behind a series of actions that have hurt the bureau's credibility, including warning the White House about aspects of the congressional investigation into FBI files that were wrongly procured by White House security chief Craig M. Livingstone. Justice found that Shapiro had not acted improperly, but concluded that he had exercised "very poor judgment" and had created an appearance that the FBI was not "sufficiently independent of the White House."

If there is any support for Freeh, it is based on the idea that he learns from his mistakes. His recent refusal to comply with requests by the White House for more information about Chinese efforts to influence the U.S. government was a step in the right direction. But the pattern is one of consistent blunders, and as the furor over the Jewell case last week makes clear, they are no longer the mistakes of a new man on the job.

What worries FBI agents most and what should worry all Americans is that much of the success of the FBI in solving crimes comes from cooperation the bureau receives from the public. That cooperation, in turn, depends on a perception that the bureau is trusted beyond question. Not since J. Edgar Hoover's abuses began coming out has the FBI's fundamental credibility been so endangered.

Freeh's 10-year term expires in 2003. Because the FBI is investigating possible criminal conduct by the Clinton administration, it would appear improper if Clinton removed Freeh.

But the thought is in the air. In last week's Newsweek, Freeh asked rhetorically if he should resign, then answered his own question in the negative. The agents I talk to think he should change his mind.

(Ronald Kessler, a former Wall Street Journal and Washington Post reporter, is the author of "The FBI.")

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Posted by: kalliste@aci.net (J. Orlin Grabbe)

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Never Forget: Kent State 4, Ruby Ridge 2 plus dog,
WACO 82, including 2 unborn babies.
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